

## TRANSFER OF LOWE FAMILY PROPERTY IN WYOMING

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JULY 12, 1999.—Referred to the Private Calendar and ordered to be printed

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Mr. YOUNG of Alaska, from the Committee on Resources,  
submitted the following

### REPORT

[To accompany S. 361]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (S. 361) to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of S. 361 is to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest.

#### BACKGROUND AND NEED FOR LEGISLATION

There is a confusing history to the 40-acre parcel of land at issue in S. 361 which the Lowe family seeks to have transferred to it. Apparently, there was an error in a land patent issued by the Bureau of Land Management to the predecessors in interest of the Lowe family. But there is much evidence that the Lowe's claim to the land is justified. For example, the Big Horn County assessor wrote that based on other entries in the county records, the legal description of the land being transferred by the original patent should have included the 40 acres under consideration. In addition, the Lowe family, since acquiring the land in 1966, have paid taxes on the land since that time.

S. 361, although not the only alternative the Lowes have in acquiring the 40 acres, is the only alternative that will bring minimal

additional expense to either the Lowe family or the Bureau of Land Management.

#### COMMITTEE ACTION

S. 361 was introduced by Senator Michael Enzi (R-WY) on February 3, 1999. The bill was referred to the Senate Committee on Energy and Natural Resources. The Committee ordered the bill reported without amendment on March 4, 1999 (S. Report 106-29). The Senate passed the bill on April 19, 1999, without amendment by unanimous consent.

In the House of Representatives, S. 361 was referred to the Committee on Resources on June 17, 1999. The Committee ordered the bill favorably reported without amendment on June 30, 1999, by voice vote.

S. 361 is identical to H.R. 510, introduced by Congresswoman Barbara Cubin (R-WY). H.R. 510 was referred to the Committee on Resources, which ordered the bill favorably reported to the House of Representatives on March 3, 1999, by voice vote without amendment (H. Report 106-68). The House passed H.R. 510 on May 4, 1999, by voice vote.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

#### COMPLIANCE WITH HOUSE RULE XIII

*1. Cost of Legislation.*—Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

*2. Congressional Budget Act.*—As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

*3. Government Reform Oversight Findings.*—Under clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

*4. Congressional Budget Office Cost Estimate.*—Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Com-

mittee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, July 2, 1999.

Hon. DON YOUNG,  
*Chairman, Committee on Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 361, an act to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Victoria Heid Hall.

Sincerely,

BARRY B. ANDERSON  
(For Dan L. Crippen, Director).

Enclosure.

*S. 361—An act to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest*

S. 361 would direct the Secretary of the Interior, acting through the Bureau of Land Management, to transfer without consideration about 40 acres of public land in Big Horn County, Wyoming, to John R. and Margaret J. Lowe. The federal government would retain the mineral interests in the land.

CBO estimates that enacting this legislation would have no significant impact on the federal budget. Because S. 361 would not affect direct spending or receipts, pay-as-you-go procedures would not apply. S. 361 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

On March 10, 1999, CBO prepared a cost estimate for S. 361 as ordered reported by the Senate Committee on Energy and Natural Resources on March 4, 1999. The two versions of S. 361 are identical, as are the two cost estimates.

The CBO staff contact for this estimate is Victoria Heid Hall. This estimate was approved by Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

#### COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

#### PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

